

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

CLARENCE HINTON,

Plaintiff,

v.

Case No. 07-12443

Honorable David M. Lawson

ASSISTANCE RESIDENT UNIT
SUPERVISOR SIVIK, RESIDENT
UNIT MANAGER KRAJNIK,
ASSISTANT RESIDENT UNIT
SUPERVISOR WERNER, DOCTOR
BURTCH, RESIDENT UNIT OFFICER
DAVIS, RESIDENT UNIT OFFICER
KOCOT, RESIDENT UNIT OFFICER
POTILA, RESIDENT UNIT OFFICER
METEVIA, RESIDENT UNIT OFFICER
GRANDSDEN, RESIDENT UNIT
OFFICER BEAN, RESIDENT UNIT
OFFICER DURFEE, CORRECTION
OFFICER HAMPTON, LT. SMITH,
SGT. BETHIUAME, SGT. BOND.
RESIDENT UNIT OFFICER/ACTING
CHAPLANIKOLBE, WARDEN T. BIRKETT,
DEPUTY T. WINN, ASSISTANT DEPUTY
WARDEN D. RICUMSTRICT, INSPECTOR
LOCKWOOD, GRIEVANCE COORDINATION
B. ALEXANDER, CRR ACTING GRIEVANCE
COORDINATOR M. MAHONoy,

Defendants.

**ORDER STRIKING REQUEST FOR INJUNCTION,
STRIKING MOTION TO AMEND REQUEST,
AND ADOPTING REPORT AND RECOMMENDATION**

The plaintiff, a prisoner proceeding *pro se*, has filed a complaint challenging the conditions of his confinement. All pretrial matters, including his application to proceed without prepayment of fees, was referred to Magistrate Judge Binder. Judge Binder recommended that the application to proceed without prepayment of fees be denied, because the plaintiff is barred from *in forma*

pauperis status under the “three strikes provision” of the Prisoner Litigation Reform Act. *See* 28 U.S.C. § 1915(g). The plaintiff filed timely objections on August 20, 2007. Despite the best efforts of staff, only a small fraction of the objections were able to be deciphered. The Court struck the objections on October 11, 2007, and ordered the plaintiff to resubmit the objections. The plaintiff sent in a document that was docketed as a letter on November 15, 2007. Again, the Court reviewed the letter, but was unable to determine the grounds for the plaintiff’s objections to the report and recommendation. Accordingly, the Court has undertaken a *de novo* review of the report and recommendation, and agrees with the recommendation of Magistrate Judge Binder.

The plaintiff has also filed a document docketed as a request for injunction and temporary restraining order. The plaintiff also filed a motion to amend this document. Because the plaintiff’s filings are illegible, the Court is not able to determine whether he is entitled to relief. *See* E.D. Mich. LR 5.1(a). The Court will deny the request and the motion without prejudice.

Accordingly, is it **ORDERED** that the Magistrate Judge’s Report and Recommendation [dkt. #4] is **ADOPTED**. The plaintiff’s application to proceed without prepayment of fees and costs is **DENIED**. The plaintiff must pay the entire filing fee on or before **January 28, 2008**, or his complaint will be dismissed.

It is further **ORDERED** that the Request for an Injunction and Temporary Restraining Order and Motion to Amend are **DENIED**.

s/David M. Lawson
DAVID M. LAWSON
United States District Judge

Dated: December 20, 2007

PROOF OF SERVICE

The undersigned certifies that a copy of the foregoing order was served upon each attorney or party of record herein by electronic means or first class U.S. mail on December 20, 2007.

s/Felicia M. Moses
FELICIA M. MOSES